

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ALVIN DEAN BRUTON, SR.

Plaintiff,

v.

CIV 11-0330 WJ/KBM

UNITED STATES OF AMERICA,

Defendant.

ORDER DENYING SETTLEMENT CONFERENCE REQUEST
AS PREMATURE

THIS MATTER is before the Court on Plaintiff's Motion for Conference and/or Settlement Conference filed July 23, 2013 (*Doc. 85*). The United States opposes the request and asks that this Court remind Plaintiff that the sole remaining issue in this case is whether Plaintiff's treating physicians at Albuquerque Veterans Administration Hospital committed medical malpractice by the administration of psychotropic medications from the date of his admission there in October 2008 through the end of his treatment in January 2009. This is a correct statement of the status of this case, and Plaintiff is so advised.

Thus, the other issues cited by Plaintiff to be discussed at a proposed conference, *see Doc. 85* at 2, are not relevant to this proceeding. Furthermore, discovery is on-going, although the Government reports that it has been less than productive because Plaintiff's responses to discovery have been non-responsive and incomplete. *See Doc. 86*. The Court agrees that until meaningful discovery has been completed, a settlement conference is premature.

Wherefore,

IT IS HEREBY ORDERED that Plaintiff's Motion for Conference (*Doc. 85*) is
denied.

A handwritten signature in black ink, appearing to read "Karen B. Moynihan", is written over a horizontal line.

UNITED STATES CHIEF MAGISTRATE JUDGE